

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MUHAMMAD AL-AMEEN,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.: 1:06-CV-699-WHA
)	
NURSE PRACTITIONER DARLA SPEIGNER,)	
)	
Defendant.)	

AMENDED RESPONSE TO SHOW CAUSE ORDER

COMES NOW, Defendant NURSE PRACTITIONER DARLA SPEIGNER in the above-styled cause, and in response to the Order of this Court dated December 15, 2006, requiring the Defendant named herein to "show cause why she has failed to file a written report in compliance with the order entered on August 14, 2006" shows unto the Court as follows:

1. That the staff of the undersigned received the Show Cause Order (Doc #6) today, December 21, 2006.
2. That the undersigned has no record of the original complaint in our files. Upon receipt of said Show Cause Order, the staff of the undersigned went online to PACER and downloaded all documents.
3. That the staff of the undersigned spoke with the only Defendant, Darla Speigner, and learned that she had never received the original complaint, though certified mail receipt shows that it was signed for by Lachristy Reed of the Houston County Jail on or about August 18, 2006.

4. That the Defendant, Darla Speigner, was diagnosed with colon cancer during this same time frame and was undergoing surgery, radiation and chemotherapy.

5. That the failure to timely file a special report and answer in this case when due on September 23, 2006, is not in any way the fault of said Defendant.

6. That the undersigned is currently out of the country for the Christmas holiday and is due to return on or about December 26, 2006.

7. The undersigned respectfully requests an additional extension of time to file the defendant's special report and answer.

8. That the initial response was inadvertently filed with Mr. Sherrer's signature when the response was actually filed by the undersigned, Mr. Terry, on behalf of Mr. Sherrer.

WHEREFORE, Defendant respectfully requests this Court to accept the foregoing as an appropriate and adequate response to this Court's show cause order in this case.

Dated this 27th day of December, 2006.

Respectfully submitted,

/s/ D. Lewis Terry, Jr.

D. LEWIS TERRY, JR. (TER010)

GARY C. SHERRER (SHE016)

SHERRER, JONES & TERRY, P.C.

335 West Main Street

Dothan, Alabama 36301

Telephone: (334) 678-0100

Fax: (334) 678-0900

E-mail: lewis@sjt-law.com

CERTIFICATE OF SERVICE

I, D. Lewis Terry, Jr., hereby certify that I have served a copy of the foregoing Amended Response to Show Cause Order upon Muhammad Al-Ameen, c/o Houston County Jail, 901 East Main Street, Dothan, Alabama 36301, by placing a copy of the same in the U.S. Mail, postage prepaid and properly addressed on this 27th day of December, 2006.

/s/ D. Lewis Terry, Jr.
OF COUNSEL